IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

ROGER J. SPENCE, Plaintiff,)))				
V.) No. 3:12-0963) Jury Demand				
O'CHARLEY'S LLC,)				
Defendant.)				
ORDER OF DISMISSAL					
Plaintiff having given notice of his intention to voluntarily dismiss this case without					
prejudice pursuant to Fed. R. Civ. P. 41(a)(1), this case is dismissed without prejudice.					
Entered November 1, 2012.	Honorable Aleta A. Trauger United States District Judge				
Approved for Entry:					
/s/ Stephen W. Grace Stephen W. Grace, TN No. 14867 1019 16 th Avenue South Nashville, Tennessee 37212 (615) 255-5225 Attorney for Plaintiff					

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served by mail to CT Corporation System, registered agent for defendant, 800 South Gay Street, Suite 2021, Knoxville, Tennessee 37929-9710 and to Luther Wright, Jr., Esq., counsel for defendant, Ogletree Deakins Nash Smoak & Stewart, 401 Commerce Street, Suite 1200, Nashville, Tennessee 37219, this 31st day of October, 2012.

/s/	Stephen	W. (Grace_	